

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

THE ESTATE OF DAVID N. OSBORNE,
Deceased, through its duly appointed
personal representative, JAMES
MONAHAN,

Plaintiff,

v.

M. KATHLEEN BREWER, an individual,
DIANNE LIMOGES, an individual, and
JOHN and JANE DOE, ANY AND ALL
PERSONAL CLAIMING ANY INTEREST,

Defendants.

Case No. 8:10-cv-00164

**ORDER OF DISMISSAL
WITH PREJUDICE**

The Court, being fully advised on the premises, finds that the Stipulation to Dismiss with Prejudice submitted by Plaintiff The Estate of David N. Osborne ("Plaintiff") and Defendants M. Kathleen Brewer and Dianne Limoges (collectively "Defendants") (Doc. No. 62), is true and correct in all respects and should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that such Stipulation is granted, and the Plaintiff's claims against the Defendants are hereby dismissed with prejudice, with each party to bear its own costs and attorney fees.

Dated this 17th day of January, 2012.

BY THE COURT:

s/ **Joseph F. Bataillon**
United States District Court Judge

PREPARED AND SUBMITTED BY:
Heather Voegelé-Andersen, #22730
Kristin M.V. Farwell, #23919
KOLEY JESSEN P.C., L.L.O.
One Pacific Place, Suite 800
1125 South 103rd Street
Omaha, NE 68124-1079
(402) 390-9500
(402) 390-9005 (facsimile)
Heather.Voegele@koleyjessen.com
Kristin.Farwell@koleyjessen.com

Attorneys for Defendants.

APPROVED AS TO FORM:
/s/ Aaron F. Smeall
Aaron F. Smeall, #22756
SMITH, GARDNER, SLUSKY LAW, LLP
8712 W. Dodge Road, Suite 400
Omaha, Nebraska 68114
(402) 392-0101
asmeall@lawsgs.com

Attorney for Plaintiff.